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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/634,433	08/05/2003	Ronald M. Penich	K-1782D	8294
7590	06/17/2004		EXAMINER [REDACTED]	TURNER, ARCHENE A
Kennametal Inc. 1600 Technology Way P. O. Box 231 Latrobe, PA 15650-0231			ART UNIT [REDACTED]	PAPER NUMBER 1775

DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/634,433	Applicant(s) PENICH ET AL.
	Examiner Archene Turner	Art Unit 1775
	-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --	
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. <ul style="list-style-type: none"> - Extensions of time may be available under the provisions of 37 CFR 1.136(e). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 		
Status <p> <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>05 August 2003</u>. <input checked="" type="checkbox"/> This action is FINAL. <input checked="" type="checkbox"/> This action is non-final. <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213. </p>		
Disposition of Claims <p> <input checked="" type="checkbox"/> Claim(s) <u>1-68 and 124-128</u> is/are pending in the application. 4a) Of the above claim(s) _____ is/are withdrawn from consideration. <input type="checkbox"/> Claim(s) _____ is/are allowed. <input checked="" type="checkbox"/> Claim(s) <u>1-68 and 124-128</u> is/are rejected. <input type="checkbox"/> Claim(s) _____ is/are objected to. <input type="checkbox"/> Claim(s) _____ are subject to restriction and/or election requirement. </p>		
Application Papers <p> <input type="checkbox"/> The specification is objected to by the Examiner. 10) <input type="checkbox"/> The drawing(s) filed on _____ is/are: a) <input type="checkbox"/> accepted or b) <input type="checkbox"/> objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) <input type="checkbox"/> The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. </p>		
Priority under 35 U.S.C. § 119 <p> <input type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) <input type="checkbox"/> All b) <input type="checkbox"/> Some * c) <input type="checkbox"/> None of: 1. <input type="checkbox"/> Certified copies of the priority documents have been received. 2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____. 3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. </p>		
Attachment(s) <p> 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>8/03 & 11/03</u> </p> <p> 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date, _____. 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6) <input type="checkbox"/> Other: _____ </p>		

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claims 1-68 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1,37,52, it is unclear whether the coating sets are included in the outer region, and where the bonding region and outer region are in relation to the substrate and one another, rendering claims 1-68 indefinite.

In claim 2, 36, 38,53 it is unclear which metal is being referred to, rendering these claims indefinite. Is it the metal in the metal nitride or metal aluminum nitride?

Claim 12 appears to be a duplicate of claim 8.

In claims 13, 14, 44, it is unclear whether these sets are in the bonding region or outer region, rendering claims 13-19,44 indefinite.

The Markush group in claims 28, 46, 60 are unclear, rendering the claim indefinite.

In claims 30-33, 48-51, 62—65, there is no antecedent basis for titanium, rendering claims 30-33 indefinite.
3. No prior art has been applied to claims 1-68 because of lack of clarity.

Art Unit: 1775

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 124, 125, 127, 128 are rejected under 35 U.S.C. 102(b) as being anticipated by Kukino et al (5,700,551) or Hashimoto et al (6,077,596).

Kukino et al or Hashimoto et al disclose the claimed components that may be alternated on a member.

6. Claims 124-128 are rejected under 35 U.S.C. 102(b) as being anticipated by Selinder et al (6,102,357)

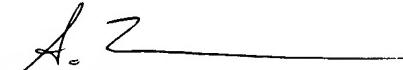
Selinder et al et al discloses the claimed components that may be alternated on a member.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Archene Turner whose new telephone number is (571) 272-1545. The examiner can normally be reached on Monday through Wednesday, and Friday from 10:30 am. to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Deborah Jones can be reached on (571) 272-1535. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Please remember to include on the fax, the art unit 1775, serial number and Examiner's name.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



A. A. Turner
Primary Examiner
Group 1700

aat